

### **REMARKS**

Claims 1-9 remain in the application. Claims 5-9 have been withdrawn from consideration. Claims 1 and 4 have been amended. Claims 1 and 4 are in independent form.

The specification has been amended by inserting language setting forth the existence of housings 46 along an outboard surface 26 of the frame members 16, 18, 20, 22. Support for the amendment to the specification is found in the original drawings as filed, most notably in Figures 1, 4, 5, 8, and 9, which each show a housing for receiving an electronic component. No new matter has been added to the specification.

The drawings have been amended to insert reference numerals depicting the outboard surface 26 of the frame members 16, 18, 20, 22 in Figures 1, 4, and 7-9, and the housing 46 formed in the outboard surface 26 in Figures 5 and 8. No new matter has been added to the drawings.

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(e) as being anticipated by United States Patent Application Publication 2002/0175868 ("the '868 reference.") The '868 reference discloses a vehicle 1 having antennas 6 arranged in or under a paneling element 10. In Figure 4, carrier strips 10G of a luggage rack or roof rack 10H serve as the paneling element 10 and the antenna 6 is provided in or under them. Applicant respectfully traverses the rejection.

Claim 1, as amended, of the above-captioned application claims a roof rack assembly including a frame member extending along the roof, the frame member having an outboard surface defining a housing, and an electronic component at least partially housed within the housing of the frame member for receiving and transmitting signals to the interior portion of

the motor vehicle. The '868 reference does not disclose a roof rack assembly including a frame member having an outboard surface defining a housing formed therealong and an electronic component at least partially housed within the housing of the frame member.

In the '868 reference, the antenna 6 is placed in or under the carrier strip 10G of the luggage rack or roof rack 10H. The specification for the '868 reference does not disclose the carrier strip 10G of the luggage or roof rack 10H as defining a housing formed along its outboard surface. In addition, the drawings for the '868 reference do not depict a housing formed along an outboard surface of the carrier strip 10G.

Therefore, Applicant respectfully requests that the rejection of claims 1 and 2 under 35 U.S.C. § 102(e) as being anticipated by the '868 reference be withdrawn.

The Examiner has also rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over the '868 reference in view of United States Patent 6,657,589 to Wang et al. ("the '589 reference.") Applicant respectfully traverses the rejection.

As mentioned above, the '868 reference discloses a vehicle 1 having antennas 6 arranged in or under a paneling element 10. In Figure 4, carrier strips 10G of a luggage rack or roof rack 10H serve as the paneling element 10 and the antenna 6 is provided in or under them. The '589 reference discloses a radome 300, shown in Figures 12 and 13, having a forward facing wind intake 302, an air ramp 304, an impeller 306 coupled to a DC generator 310, and air exhaust 308. Mounting brackets 312, 314 disposed on opposite sides of the radome 300 clamp to a roof rail rack assembly, as shown at Figure 14. Security locks 316, 318 prevent the radome 300 from unauthorized removal.

Claim 3 of the above-captioned application depends from amended claim 1 and, as such, is construed to incorporate by reference all of the limitations of the claim to which it refers, *see* 35 U.S.C. § 112, fourth paragraph. Claim 1, as amended, claims a roof rack assembly including a frame member extending along the roof, the frame member having an outboard surface defining a housing, and an electronic component at least partially housed within the housing of the frame member for receiving and transmitting signals to the interior portion of the motor vehicle.

The '868 and '589 references do not provide any teaching, suggestion, or motivation for a roof rack assembly having a frame member extending along the roof, the frame member having an outboard surface defining a housing, and an electronic component at least partially housed within said housing of the frame member for receiving and transmitting signals to the interior portion of the motor vehicle. In addition, the combination of the '868 and '589 references would not result in the disclosure of the invention as set forth in claim 3, which depends from amended claim 1, of the above-captioned patent application.

The '868 reference discloses placing the antenna 6 in or under the carrier strip 10G of the roof rack or luggage rack assembly 10H. The carrier strip 10G does not, however, have a housing formed along an outboard surface of a frame member for at least partially housing an electronic component. The '589 reference discloses the radome 300 clamped to the roof rack assembly by mounting brackets 312, 314. The '589 reference also does not have a housing formed along an outboard surface of a frame member for at least partially housing an electronic component. To summarize, there is no mention in either of the '868 and '589 references of forming a housing along an outboard surface of a frame member of a roof rack

assembly. Thus, the '868 and '589 references clearly do not provide one skilled in the art at the time of invention with any teaching, suggestion, or motivation for forming a housing along an outboard surface of a frame member of a roof rack assembly to at least partially house an electronic component, as is set forth in amended claim 1 of the above-captioned application.

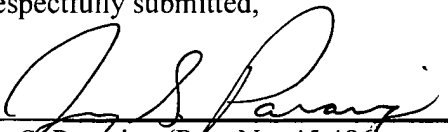
Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) of claim 3 as being unpatentable over the '868 reference in view of the '589 reference be withdrawn.

Finally, the Examiner has stated that claim 4 of the above-captioned application would be allowable if rewritten to include all of the limitations in any intervening claims. In response, Applicant has rewritten claim 4 in independent form to incorporate the limitations set forth in claim 1.

Therefore, Applicant respectfully requests that the objection to claim 4 be withdrawn.

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or patent application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

  
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Date: 1/12/06  
Attorney Docket No.: 19350-095929

**AMENDMENTS TO THE DRAWINGS**

-- The attached 4 replacement sheets of drawings include changes to Figures 1, 4, 7, 8, and 9.

These replacements sheets, which include Figures 1 and 3-10, replace the original sheets including Figures 1 and 3-10. The amendments to the drawings include the numbering of claimed elements, including the outboard surface 26 of frame members 16, 18, 20, 22, and the housings 46, set forth in the detailed description of preferred embodiment as originally filed.--

Attachment: 4 Replacement Sheets